

RECEIVED**DEC 18 2000****REMARKS**

TECH CENTER 1600/2900

Claims 1-13 were pending in the application. Claims 6 and 9-13 have been cancelled without prejudice. Accordingly, claims 1-5 and 7-8 will be pending in the application upon entry of the instant Amendment. Applicants respectfully request that the instant Amendment be entered into the record of this application.

Cancellation of the claims was done solely to expedite prosecution. Applicants reserve the right to pursue the subject matter of the cancelled claims in this or one or more subsequent applications.

Requirement for Election/Restriction Under 35 U.S.C. §121

The Examiner has required restriction, for examination purposes, of the claimed invention to one of the following groups:

- I. Claims 1-5, 7, 8, and 12 drawn to nucleic acids, cells comprising the nucleic acids, and methods of expressing the nucleic acids classified in class 536, subclass 23.1.
- II. Claims 6, 9-11, and 13, drawn to proteins, classified in class 530, subclass 350.

The Examiner has further required Applicants to elect, for examination purposes, a single sequence. In particular, the Examiner requires that Applicants elect a single sequence for the elected group, *i.e.*, a single nucleotide or amino acid sequence from Group I or II, respectively.

Applicants hereby elect without traverse Group I (claims 1-5, 7, 8 and 12) for prosecution in the present application. In view of Applicants election of Group I (claims 1-5, 7, 8 and 12), claims 6, 9-11 and 13 have been canceled without prejudice as directed to non-elected subject matter. Moreover, Applicants elect the nucleotide sequence of

clone er311_1 for examination purposes and hereby cancel claim 12 (drawn to non-elected clone d24_1). Applicants hereby reserve the right to pursue the non-elected subject matter of the cancelled claims in one or more divisional applications.

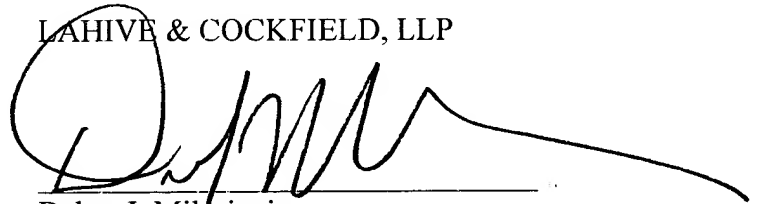
SUMMARY

As the instant Amendment does not affect the issue of patentability, it is respectfully requested that it be entered. Applicants submit that the application is in condition for allowance.

If a telephone conversation with Applicants' Attorney would expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' Attorney at (617) 227-7400.

Respectfully submitted,

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